THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO : 14031 of 2005

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Dated: 22.09.2005

Between:

Dasari Vijaya Kumari, w/o late Vengur Prakash,
Christian D.No.50-94-14, Near IV Town Police Station,

Visakhapatnam.

..... PETITIONER

AND

The Station House Officer, Steel Plant L & O Police Station,

Visakhapatnam, and another.

.....RESPONDENTS

ORDER:

This writ petition is filed seeking a writ of Mandamus directing the respondents to take steps for filing Final Report as required under Section 173 of the Code of Criminal Procedure, 1973, pursuant to registration of a complaint in Crime No.4 of 2005 on the file of the Steel Plant Law and Order Police Station, Visakhapatnam.

It is the case of the petitioner that her husband died in a motor vehicle accident that occurred on 08.11.2004. Though a complaint is made, investigation is not being proceeded with, at the instance of the second respondent.

A counter affidavit is filed on behalf of the respondents stating that as per the instructions of the Commissioner of Police, Visakhapatnam City, vide D.O.No.115/2005 in Rc.No.917/A6/2005, dated 28.02.2005, the file was transferred from Sub Inspector of Police, Traffic, Steel Plant, Visakhapatnam, to the Station House Officer, Steel Plant, Visakhapatnam, and the same was registered as Crime No.4 of 2005 for the alleged offence under Section 304-A of the Indian Penal Code, 1860, of Steel Plant, Law and Order PS, Visakhapatnam, on 05.03.2005. It is stated that some of the witnesses were already examined and investigation is in progress.

Even according to the counter affidavit sworn on 12.07.2005, major part of the investigation is already completed. It is further stated that investigation will be completed in a short span of time.

Having regard to the averments in the counter affidavit filed in the month of July 2005, I dispose of this writ petition directing the respondents to complete the investigation and submit the Final Report within six weeks from the date of receipt of a copy of this order, if not already submitted.

Subject to the above direction, this writ petition is disposed of. No order as to costs.

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(R.SUBHASH REDDY, J)

22.09.2005

vs